

**From:** [Stuber, Robyn](#)  
**To:** [Barker, David@Waterboards](#); [Marincola, JamesPaul](#)  
**Cc:** [Smith, DavidW](#); [Outwin-Beals, Brandi@Waterboards](#); [Lim, Joann@Waterboards](#); [Hagan, Catherine@Waterboards](#); [Nunez, Adriana@Waterboards](#)  
**Subject:** RE: Follow-up to Toxicity Teleconference Call - Padre Dam Draft NPDES Permit Toxicity Language  
**Date:** Sunday, March 15, 2015 3:10:08 PM

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Hi David,

Thank you for sending the permit up for our review. I'll coordinate with Jamie on EPA's comments and we'll get back to you.

Robyn

**ROBYN A. STUBER** • (415) 972-3524  
U.S. EPA REGION 9 • NPDES PERMITS SECTION (WTR-2-3)  
75 HAWTHORNE STREET • SAN FRANCISCO, CA 94105

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**From:** Barker, David@Waterboards [mailto:David.Barker@waterboards.ca.gov]  
**Sent:** Friday, March 13, 2015 5:55 PM  
**To:** Stuber, Robyn; Marincola, JamesPaul  
**Cc:** Smith, DavidW; Outwin-Beals, Brandi@Waterboards; Lim, Joann@Waterboards; Hagan, Catherine@Waterboards; Nunez, Adriana@Waterboards  
**Subject:** Follow-up to Toxicity Teleconference Call - Padre Dam Draft NPDES Permit Toxicity Language

Robyn and Jamie - This is a follow-up to our teleconference conversation this past Wednesday March 11 regarding the incorporation of a chronic toxicity effluent limitation into the Padre Dam MWD NPDES Permit.

Robyn I wanted to thank you for sending down the LA Regional Water Board's draft NPDES Permit documents for the San Jose WRF. We were able to incorporate the text you recommended in our draft Tentative NPDES Order for Padre Dam MWD. If I am not mistaken, during our call you expressed an interest in looking over the chronic toxicity language in the draft Padre Dam permit. We had to release that permit for the 30 day public review period today in order to have it on our May 13 Board Meeting agenda for adoption. I would still like to take you up on your offer to look over the chronic toxicity permit language as there may be some opportunity to adjust it some before May. The Word version of the draft permit is attached; we have some time but would need a fairly quick turn-around if you decide to take it on.

I also wanted to mention that, per your recommendation, we did not include in the Padre Dam draft permit that provision in the current draft State Water Board toxicity policy which conditionally stipulates that any exceedances of the chronic toxicity effluent limitation occurring during a required accelerated monitoring period and a TRE (toxicity reduction evaluation would not constitute additional violations... I understand from you that provision does not conform with the State Water Board's compliance schedule policy. We will look into that further and will get back

with you if come up with a modified approach.

--David

David T. Barker, P.E.  
Supervising Engineer  
California Regional Water Quality Control Board  
San Diego Region  
2375 Northside Drive, Suite 100  
San Diego, CA 92108-2700  
direct dial: (619) 521-3007  
e-Mail: [David.Barker@waterboards.ca.gov](mailto:David.Barker@waterboards.ca.gov)

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**From:** Outwin-Beals, Brandi@Waterboards  
**Sent:** Monday, March 09, 2015 11:35 AM  
**To:** Stuber, [Robyn@epamail.epa.gov](mailto:Robyn@epamail.epa.gov)  
**Cc:** Barker, David@Waterboards; Smith, [Davidw@epamail.epa.gov](mailto:Davidw@epamail.epa.gov); Marincola, [JamesPaul@epamail.epa.gov](mailto:JamesPaul@epamail.epa.gov)  
**Subject:** RE: Tox Call

Done!

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**From:** Stuber, Robyn [<mailto:Stuber.Robyn@epa.gov>]  
**Sent:** Monday, March 09, 2015 9:50 AM  
**To:** Outwin-Beals, Brandi@Waterboards  
**Cc:** Barker, David@Waterboards; Smith, [Davidw@epamail.epa.gov](mailto:Davidw@epamail.epa.gov); Marincola, [JamesPaul@epamail.epa.gov](mailto:JamesPaul@epamail.epa.gov)  
**Subject:** RE: Tox Call

Okay, Dave and I are available for a call at 3 pm on Wednesday.

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75 HAWTHORNE STREET • SAN FRANCISCO, CA 94105

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**From:** Outwin-Beals, Brandi@Waterboards [<mailto:Brandi.Outwin-Beals@waterboards.ca.gov>]  
**Sent:** Monday, March 09, 2015 9:14 AM  
**To:** Stuber, Robyn  
**Cc:** Barker, David@Waterboards  
**Subject:** RE: Tox Call

Hi Robyn-

Change of plans on this end. This is our current availability:

- Today – 10:30am-12pm / 2pm-4pm
-

Wednesday – 9am-4pm (\*\* I will be in the field part of this day TBD \*\*)

- Thursday – 9am-12pm

Brandi

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**From:** Outwin-Beals, Brandi@Waterboards  
**Sent:** Monday, March 09, 2015 8:56 AM  
**To:** robyn stuber ([Stubber.Robyn@epamail.epa.gov](mailto:Stubber.Robyn@epamail.epa.gov))  
**Cc:** Barker, David@Waterboards  
**Subject:** Tox Call

Hi Robyn-

Per our discussion Friday, I'd like to set up a call to talk with you and David Smith before we release Padre Dam for public comment this Friday. At this moment, it appears that David Barker and I are available the following times:

- Today 2-4pm
- Wednesday – 9am-4pm
- Thursday – 9am-12pm (I might be in the car on the way to the airport after 11am)

What works best on your end?

Brandi